



State Senator  
**Kevin Shibilski**

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01-348

August 16, 2002

Chairman Michael Powell  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington DC 20554

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Federal Communications Commission  
Office of the Secretary

Dear Chairman Powell;

Since my letter of January 29, 2002 I have been contacted by people who have informed me of several problems with the Echostar / Hughes merger. Their comments have caused me to reconsider my earlier letter that detailed the benefits of the proposed merger.

Concerns have been raised that competitive programming options would be eliminated because EchoStar alone would determine which programs would be available to customers. If EchoStar chose not to carry certain programs, rural customers would be unable to go to anyone else to receive that programming.

Also, I have heard from people who are concerned that without competition, quality of service could be adversely affected. The lack of competition could also mean a lack of competitive pricing.

I appreciate your time and consideration of these points. If you have any questions, please do not hesitate to contact me.

Sincerely,

KEVIN SHIBILSKI  
State Senator  
District 24

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